

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

MAR 30 2006

LAWRENCE K. BAERMAN, CLERK
ALBANY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RICHARD RIVENBURGH,

Plaintiff,

**Civil No.: 1:03-CV-1168
(GLS)**

v.

CSX TRANSPORTATION,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

KLEEMAN, ABLOESER LAW FIRM
The Sterling Conference Center #350
1819 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103

SAMUEL ABLOESER, ESQ.

FOR THE CITY DEFENDANT:

HODGSON, RUSS LAW FIRM
677 Broadway, Suite 301
Albany, New York 12207

NOREEN D. GRIMMICK, ESQ.

**Gary L. Sharpe
U.S. District Judge**

ORDER

This matter comes before the court following a jury trial, resulting in the entry of a money judgment for the plaintiff. At the close of trial, the

court allowed the parties additional time to file Rule 50 motions and to file post-trial submissions with the court. On March 29, 2006, the court erroneously entered judgment, as noted in the submission of defense counsel. See Undocketed Bailey Ltr., Mar. 29, 2006. Accordingly, the court vacates the previous judgment, pending receipt of the parties' post-trial submissions.

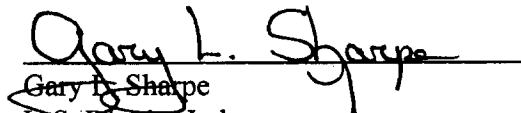
WHEREFORE, it is hereby

ORDERED that the previous judgment is vacated; and it is further

ORDERED that the Clerk of Court shall serve a copy of this Order on all parties.

IT IS SO ORDERED.

Albany, New York
March 30, 2006



Gary L. Sharpe
U.S. District Judge